

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: 3-16-2011
5:08 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Tonya Brogdon
Deputy

DIVISION PRO TEM B

JEANNE HICKS, CLERK

HON. WARREN R. DARROW

BY: R. Hagen/T. Brogdon, Deputy Clerks

CASE NO. V1300CR201080049

DATE: March 16, 2011

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney

Sheila Polk/Bill Hughes,

(Via OnBase)

(For Plaintiff)

(Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly,

(Via electronic mail)

(Co-Counsel for Defendant)

(Defendant)

Luis Li/Brad Brian/Truc Do/Miriam Seifter

MUNGER TOLLES & OLSON LLP,

(Via electronic mail)

(Co-Counsel for Defendant, *Pro Hac Vice*)

HEARING ON:
TRIAL – Day 16

NATURE OF PROCEEDINGS

COURT REPORTER
Mina Hunt

START TIME: 9:19 a.m.

APPEARANCES:

Sheila Polk, Counsel for State
Bill Hughes, Co-Counsel for State
Detective Ross Diskin, Case Agent
James Arthur Ray, Defendant
Tom Kelly, Co-Counsel for Defendant
Luis Li, Co-Counsel for Defendant
Truc Do, Co-Counsel for Defendant
Miriam Seifter, Co-Counsel for Defendant
Victim Services Representative

The Jury is not present.

Discussion ensues regarding audio clips intended for evidence, timing of notification by State to Defense and playing expanded portions of the audio clips. Counsel are advised that parts of the audio exhibits will be played according to who is conducting the examination of the witness. Further discussion ensues.

Counsel are reminded to notify the Court of any legal issues in order that those issues may be addressed prior to the scheduled start time of trial.

~~~Recess~~~

At 9:31 a.m. the Jury enters the courtroom.

Stephen Ray, previously sworn, resumes testifying.

Exhibits 211, 212, 778 and 780 are admitted into evidence pursuant to stipulation of Counsel.

The Jury is reminded of the admonition and excused for a recess. The witness is advised of the Rule of exclusion of witnesses and excused for a recess.

~~~Recess~~~

At 11:01 a.m. the trial resumes with all previously appearing parties and the Jury present.

Stephen Ray resumes testifying.

Exhibits 213, 214, 488, 489 and 551 are admitted into evidence pursuant to stipulation of Counsel.

The Jury is reminded of the admonition and excused for the noon recess. The witness is advised of the Rule of exclusion of witnesses and excused for the noon recess.

~~~Noon Recess~~~

At 1:34 p.m. Court reconvenes, all previously appearing parties and the Jury are present.

Stephen Ray resumes testimony.

The Jury is reminded of the admonition and excused for a recess.

~~~Recess~~~

At 2:12 p.m. Court reconvenes, all previously appearing parties and the Jury are present.

Stephen Ray resumes testimony.

Exhibit 782 is offered and admitted into evidence without objection.

Stephen Ray is reminded of the Rule for the exclusion of witnesses, is excused and exits the Courtroom.

Court and Counsel conduct sidebar discussion outside of the presence of the Jury on the record.

The Jury is reminded of the admonition and excused for a recess.

~~~Recess~~~

At 3:46 p.m. Court reconvenes, all previously appearing parties and the Jury are present.

Lou Caci is sworn and testifies.

Exhibit 328 is admitted into evidence pursuant to stipulation of Counsel.

The Jury is reminded of the admonition, is advised to return on March 17, 2011 at 9:15 a.m. and excused for the evening recess.

Lou Caci is advised of the Rule for the exclusion of witnesses and excused for the evening recess.

The Jury and witness exit the Courtroom.

The Court advises real time has been offered since Monday and available Tuesday to both parties, there will be no fee for this feature.

Court and Counsel discuss the pending issue regarding expert Mr. Case.

Court and Counsel discuss witness testimony. Court and Counsel will address relevance issues prior to the start of Trial at 8:45 a.m. on March 17, 2011.

The Court stands adjourned for the day.

**END TIME: 5:08 p.m.**

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)  
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, Co-Counsel Brown Family (e)  
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)  
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)  
Division PTB (e)  
Victim Services (e)  
Court Administration  
Customer Service Supervisor, Verde